

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

THE UNITED STATES OF AMERICA EX REL,)
ET AL,)
)
Plaintiffs,)
)
vs.)
)
DUKE UNIVERSITY, ET AL,)
)
Defendants.)

NOTICE

Civil Action No. 4:13CV00017

To: Andrew M. Bowman, Esq., Daniel R. Sullivan, Esq., Gregory J. Haley, Esq., John R. Thomas, Jr., Esq., Matthew W. Broughton, Esq. & Michael J. Finney, Esq.

Rule 4(m) of the Federal Rules of Civil Procedure states "If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1) or to service of a notice under Rule 71.1(d)(3)(A)."

Pursuant to that rule, you are hereby given notice that the Court's record reflects that an Order was entered on August 9, 2016 directing the Relator to serve the Amended Complaint on the Defendants and, as of this date, service has not been executed on Defendants Duke University, Duke University Health System, Inc., Erin N. Potts-Kant or William M. Foster, Ph.D.

You have until November 17, 2016 to notify the Clerk of this Court that service has been accomplished on said Defendants. Otherwise, the named Defendants will be dismissed from the suit without prejudice by Order of this Court.

JULIA C. DUDLEY, CLERK

By: s/H. McDonald
Deputy in Charge/Courtroom Deputy